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REDACTED FOR
PUBLIC DISCLOSURE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,
Plaintiff,

vs.

Julio Cesar Gutierrez,
Defendant.

No. CR-22-133-PHX-JJT (JZB)

INDICTMENT

VIO: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(A)(ii)(II)
(Possession with Intent to Distribute
Cocaine)
Count 1

21 U.S.C. §§ 952(a), 960(a)(1), and
960(b)(1)(B)(ii)
(Importation of Cocaine)
Count 2

18 U.S.C. § 981, 21 U.S.C. §§ 853
and 881, and 28 U.S.C. § 2461(c)
(Forfeiture Allegation)

THE GRAND JURY CHARGES:

COUNT 1

On or about February 18, 2022, in the District of Arizona, the defendant, JULIO CESAR GUTIERREZ did knowingly and intentionally possess with the intent to distribute 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii)(II).

COUNT 2

On or about February 18, 2022, in the District of Arizona, the defendant, JULIO CESAR GUTIERREZ did knowingly and intentionally import 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, into the United States from Mexico.

In violation of Title 21, United States Code, Sections 952(a), 960(a)(1) and 960(b)(1)(B)(ii).

FORFEITURE ALLEGATION

The Grand Jury realleges and incorporates the allegations of Counts 1 and 2 of this Indictment, which are incorporated by reference as though fully set forth herein.

Pursuant to Title 18, United States Code, Section 981, Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), and upon conviction of one or more of the offenses alleged in Counts 1 and 2 of this Indictment, the defendant shall forfeit to the United States of America all right, title, and interest in (a) any property constituting, or derived from, any proceeds the persons obtained, directly or indirectly, as the result of the offense, and (b) any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offense, including, but not limited to the following property involved and used in the offense: a 2006, white Ford Escape, VIN: IFMYU93186KC12413, Arizona license plate BNA35F.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence,
- (2) has been transferred or sold to, or deposited with, a third party,
- (3) has been placed beyond the jurisdiction of the court,
- (4) has been substantially diminished in value, or
- (5) has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States to seek forfeiture of any other property of

1 said defendant(s) up to the value of the above-described forfeitable property, pursuant to
2 Title 21, United States Code, Section 853(p).

3 All in accordance with Title 18, United States Code, Section 981, Title 21, United
4 States Code, Sections 853 and 881, Title 28, United States Code, Section 2461(c), and Rule
5 32.2, Federal Rules of Criminal Procedure.

6
7 A TRUE BILL

8
9 /s/
10 FOREPERSON OF THE GRAND JURY
Date: March 8, 2022

11 GARY M. RESTAINO
12 United States Attorney
District of Arizona

13
14 /s/
15 LOUIS C. UHL
Assistant U.S. Attorney